

**TOWN OF KEARNY  
REGULAR MEETING MINUTES**

**A REGULAR MEETING OF THE TOWN COUNCIL OF THE TOWN OF KEARNY,  
ARIZONA, AT THE KEARNY TOWN HALL LOCATED AT 912-C TILBURY DRIVE  
ON MONDAY, OCTOBER 19, 2015, AT 7:30 P.M.**

**COUNCILMEMBERS PRESENT**

Mayor	Sam Hosler
Vice Mayor	Daniel Radcliffe
Councilmember	Lana Dalton -Telephonically
Councilmember	Rudy Flores
Councilmember	David Herrera
Councilmember	Nancy Hinojos

**TOWN STAFF PRESENT**

Town Manager	Anna Flores
Town Clerk	Cathy Woolery
Town Attorney	Steve Cooper
Interim Chief of Police	Dave Blue

**VISITORS PRESENT**

Nina Yardley	Melissa Foster
Joe Weller	Daniel Foster
James Hosea	Darlene Hosea
Gwen Dinwiddie	Mike Dinwiddie
Tino Flores	Debra Sommers
Angela Ramirez	Tony Vailivielo
Diane Palmer	Julie Vailivielo
Mary King	Carol Lewis

**CALL TO ORDER/PLEDGE OF ALLEGIANCE**

Mayor Hosler called the meeting to order at 7:30 p.m. followed by the Pledge of Allegiance.

**INVOCATION**

Pastor Nina Yardley of the Church of the Good Shepherd delivered the invocation.

**ROLL CALL**

Mayor Hosler requested Town Clerk, Cathy Woolery, to call the roll. Quorum was present.

**APPROVAL OF MINUTES**

Councilmember Herrera requested correction of removal of his name from the September 30, 2015 regular meeting minutes. Town Clerk Cathy Woolery stated correction would be completed.

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**October 19, 2015**

**Motion** by Vice Mayor Radcliffe, **second** by Councilmember Hinojos to approve minutes from Special Meeting September 2, 2015, Regular Meeting September 21, 2015, Study Session September 30, 2015, and Special Meeting September 30, 2015. **Vote** - All members voted in favor. **MOTION PASSED.**

**CALL TO THE PUBLIC**

No persons addressed the Council.

**COPPER BASIN CHAMBER OF COMMERCE REQUEST**

Town Manager Anna Flores provided background information. Vice Mayor Radcliffe requested clarification on the road closure for November 7, 2015. Angela Ramirez stated the road closure would be from the old bank to the ARC crosswalk, and the parking lot between the drug store and the ARC. For Trunk or Treat will be from the old bank to the end of the Pinal County Building and Norm's entrances will not be blocked. The Chamber also notifies all business owners.

**Motion** by Vice Mayor Radcliffe, **second** by Councilmember Flores to approve the Chamber of Commerce request for closing the streets on October 31, 2015 for the Great Pumpkin and on November 7, 2015 for the Car Show. **Vote** – All members voted in favor. **MOTION PASSED.**

**POSSIBLE DISCUSSION AND POSSIBLE APPROVAL OF A RESOLUTION RELATING TO THE FORMATION OF A PUBLIC SAFETY COALITION BETWEEN FOUR COMMUNITIES; FOR THE DEVELOPMENT OF PUBLIC SAFETY AND THE COST TO BE SHARED BY MEMBERS OF THE COALITION**

Town Manager Anna Flores provided background information. Councilmember Hinojos asked if the resolution is just to proceed. Town Attorney Steve Cooper explained this resolution is to study the public safety coalition and if approved tonight it is not a final deal and will have to come back to the Council for agreement. Vice Mayor Radcliffe asked if this is approved then will everything that results from this would have to be approved. He also asked if any costs are associated with this resolution, and stated he did not want to get into anything that the Town could not get out of. Attorney Steve Cooper confirmed and explained that the details of the future agreement would be worked out specifically, come back to the Councils, and discussed to be approved or not approved. He also stated he has not heard of any costs associated with this resolution. There have been offers of help from DPS, AMMRP, the Arizona League of Cities and Towns, and CAG, and Steve is not aware of any costs being charged to the communities. The resolution is basically just to keep talking and to participate in further discussions. Steve Cooper also expressed that most intergovernmental agreements have opt out clauses with different time frames such as 30 days, 60 days. Councilmember Hererra believes the Town still needs to have more discussion on finite points but needs to go ahead and participate and forge further for discussions. Vice Mayor Radcliffe confirmed again that the Town can opt out of the agreement. Attorney Steve Cooper confirmed yes.

**Motion** by Councilmember Herrera, **second** by Councilmember Flores for approval of the resolution forming a public safety coalition between four communities for the development of public safety with the cost shared by the members cited in Resolution No. 15-722. **Vote** – All members voted in favor. **MOTION PASSED.**

**POSSIBLE DISCUSSION AND POSSIBLE APPROVAL OF APPOINTMENT OF THE MAYOR AND ONE COUNCIL MEMBER OR A MEMBER OF THE COMMUNITY TO REPRESENT KEARNY ON THE PUBLIC SAFETY COALITION**

Town Manager Anna Flores provided background information. Councilmember Herrera respectfully requested if there is going to be a councilmember on the board he would like to serve and be involved. Vice Mayor Radcliffe stated he thinks a public member would be good, and he has received the interest of Mike Dinwiddie who put his name in to volunteer. Vice Mayor Radcliffe stated persons could submit a letter of interest and have Council choose at the next Council meeting. He expressed he thinks we should have someone besides Council on the group. Anna Flores explained a meeting regarding the Coalition is scheduled for November 10th at 9 a.m., and we can have a special meeting to choose the member before then. Mayor Hosler asked if the Council would like to accept this in principle and choose the other member later. Councilmember Herrera asked the Mayor if he wants to sit on the group. Mayor Hosler responded he is willing to sit on the group as the Mayors have been meeting and have developed positive cooperative relationships. Councilmember Herrera asked if an option would be to initially have two members but to open the groups later to having three people from each town. Vice Mayor Radcliffe asked about what the other towns have done. Attorney Steve Cooper stated he does not know what Mammoth has done, but Hayden appointed their Vice Mayor and no one else. Councilmember Hinojos stated she agreed with Vice Mayor Radcliffe to get the community involved as they know what the needs of the Town are and their expectations need to be part of the whole plan. Mayor Hosler reiterated to approve this in principle and to pick the person at the special meeting.

**Motion** by Vice Mayor Radcliffe, **second** by Councilmember Flores for appointment of the Mayor and one other person, whether it is a council person or one other member of the public, to be decided at the next Council meeting. **Vote** – Vice Mayor Radcliffe, Councilmembers Dalton, Flores, and Hinojos voted AYE. Councilmember Herrera voted NAY. **MOTION PASSED.**

**APPROVAL OF EXTENSION OF INTERGOVERNMENTAL AGREEMENT BETWEEN THE DEPARTMENT OF PUBLIC SAFETY AND THE TOWN OF KEARNY FOR BI-WEEKLY INTERIM CHIEF'S SALARY AND EMPLOYEE RELATED EXPENDITURES IN THE AMOUNT OF \$6,736.80**

Town Manager Anna Flores provided background information. Vice Mayor Radcliffe stated his understanding from DPS at the Hayden meeting is that if the Towns stayed interested in the intergovernmental agreement with the other three towns then DPS would still furnish the Interim Chief during that period. Interim Chief Blue apologized for Major Orose not getting back to Town Manager Anna Flores. He is unable to reach the Major at this time possibly due to some

emergency reasons. Pat Walker was also unable to reach him, but Interim Chief Blue will try to have an answer end of business day tomorrow. Mayor Hosler expressed the Town of Mammoth is participating in the DPS program and working on their financial affairs with Pat Walker as we are. Town Manager Anna Flores stated the terms of the IGA states that either party may cancel the agreement at any time with 10 days written notice to the other party. Vice Mayor Radcliffe asked Anna Flores if that was also her understanding that was said at the meeting regarding DPS furnishing an Interim Chief. Town Manager Anna Flores stated yes and that is what they are trying to get clarification on by tomorrow. Mayor Hosler asked Attorney Steve Cooper if we take no action, then we are putting ratification on the IGA that was already signed and would that be seen as abrogation of the agreement. Steve Cooper expressed the existing agreement would be kicking in, but the compensation is the issue. The issue could be clarified at the special meeting in November before the November 10th meeting. Councilmember Herrera raised a question regarding the wording in the agreement which states "the interim chief may promulgate written operational policies and procedures deemed necessary for the operation of the Town police Department for the duration of this Agreement, provided that such are acceptable to the Town as they affect the Town". He expressed he wants the language to be clear as the Town of Kearny makes the written rules. Interim Chief Blue stated any policy goes to the Town Manager first, then to the City Attorney, and once reviewed then goes to Council for approval before any policy would be implemented. Attorney Steve Cooper summarized that most policies and procedures were implemented in the early 1990s. Since then, the Town of Kearny started updating their policies with Chief Vasquez and needs to continue to update them. Once policies are approved they will go to Council for approval or disapproval. Councilmember Herrera explained that he wanted to make sure the statement did not give more latitude to promulgate, and if the Council is okay with the way the statement is written then he will accept that. Mayor Hosler expressed he believes that Section 7 is written appropriately. Vice Mayor Radcliffe made a comment that over a month or two the Town cannot afford this salary. Town Manager Anna Flores reiterated we should have clarification on the salary issue tomorrow.

**Motion** by Vice Mayor Radcliffe, **second** by Councilmember Hinojos made a motion to postpone this to the next special Council meeting for confirmation of the salary issue. **Vote** – All members voted in favor. **MOTION PASSED.**

**POSSIBLE DISCUSSION AND POSSIBLE APPROVAL OF A RESOLUTION OF AN INTERGOVERNMENTAL AGREEMENT FOR COMMUNITY BLOCK GRANT PROJECT THREE-YEAR PROGRAM QUALIFICATIONS 2016-2018 AND SUCCEEDING THREE-YEAR QUALIFICATION PERIODS**

Town Manager Anna Flores provided background information. Vice Mayor Radcliffe commented this method would provide for getting more for our dollar. Councilmember Herrera stated also it provides for two years of planning and can use for large infrastructure expenses, and recommends planning to also leverage with other grants. Town Attorney Steve Cooper expressed this could be used for larger ticket items such as ambulance or fire truck. Mayor

Hosler commented the Town has received a \$35K grant, which is part of the CDBG and can use that to better scope out and plan for succeeding years.

**Motion** by Councilmember Herrera, **second** by Councilmember Flores for approval of the resolution for community block project three-year program and three-year periods communities for the intergovernmental agreement with the Towns of Kearny, Mammoth, and Hayden. **Vote** – All members voted in favor. **MOTION PASSED.**

Councilmember Herrera noted that Exhibit A – Joint Defense and Common Interest Agreement needed to be changed to reflect correct information of Community Block Grant Project Three Year Program Qualifications instead of referencing Fire Department Dispatch Services. Town Attorney Steve Cooper explained this was a clerical error in which he would make the correction and revise it. Council was in agreement for this to be resubmitted with revision.

**POSSIBLE DISCUSSION AND POSSIBLE APPROVAL OF SCOPE OF WORK FROM NCS ENGINEERING FOR AN ON-CALL AGREEMENT FOR TASK ORDER #2 WELL #2 PIPING AND FILTRATION PLANT VALVE DESIGN IN THE AMOUNT OF \$6,000**

Town Manager Anna Flores provided background information. Vice Mayor Radcliffe asked for clarification if this is to change the switches down at well #2. Town Manager Anna Flores explained this is just to change the valve at the well because the clay valves does not fit and they have to redo the piping so the valve will fit that controls the surging. Also, at the filtration plant they have to repair the backflow valve. This estimate is just for the design and not the actual work. Town Manager Anna Flores explained this is the piping at the well which was installed by Yellow Jacket, and Yellow Jacket will not come out and redo it. Vice Mayor Radcliffe asked if this is a different switching of things which will cure the pressure issue. Also, when the well was put in that Yellow Jacket didn't know about the surge, but whoever designed it messed it up. Town Manager Anna Flores again stated it was not designed properly. She also said that every invoice related to work completed has been sent to Ken Hebert at CAG and William McCarthy at Wildan, and at some point we need to try to recoup those costs. Vice Mayor Radcliffe requested a written warranty from NCS and Fann Environmental that the repairs are guaranteed to work, and they will back their work and not come back to the Town for payment. Town Manager Anna Flores agreed. Vice Mayor Radcliffe also asked that we need to do this for all future work from all contractors, and get a written signed statement from them stating work will be guaranteed.

**Motion** by Councilmember Herrera, **second** by Councilmember Flores for approval to accept the scope of work from NCS Engineering in the amount of \$6,000 and have Fann Environmental complete the work. **Vote** – All members voted in favor. **MOTION PASSED.**

**INFORMATIONAL ITEMS**

Town Manager Anna Flores reported slurry sealing will be done on Tilbury and Upton on November 5 and 6, 2015, will take two days, and will involve road closures, rerouting, and

patience. Town Manager Anna Flores thanked everyone and all the volunteers for the successful Kearny Clean Up Day. Mayor Hosler informed the public about the prison having a job fair on Wednesday, and another job fair in January with a number of employers. He is also working on an area tourism program throughout the copper corridor with the CCEDC.

**REPORTS**

Mayor Hosler commented the number of calls and complaints has decreased significantly on the police report. Interim Chief Blue explained the JWI migration, which is the ACIJS system, has been updated and completed; however, they are having a problem and need to be in compliance with the system being up. Since it is internet based it needs to be running efficiently. He stated they may need change from CopperNet to another system due to the internet being down so much. He will bring this up in the next Council meeting. Also, he is seeking full-time officers and would like to explore using the Town home as an incentive to get more officers into the area, and would like to address this at next Council meeting. He would like to see if this may be an option for officers to use as quarters while on duty. He has a contractor who will come in and finish up the house at no cost.

**Motion** by Vice Mayor Radcliffe, **second** by Councilmember Flores to accept the reports. **Vote** – All members voted in favor. **MOTION PASSED.**

**ADJOURNMENT**

**Motion** by Vice Mayor Radcliffe, **second** by Councilmember Hinojos to adjourn. **Vote** – All members voted in favor. **MOTION PASSED.** Meeting was adjourned at 8:34 p.m.

  
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Sam Hosler, Mayor

  
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Anna Flores, Town Manager

ATTEST:

  
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Cathy Woolery, Town Clerk